



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 18<sup>TH</sup> STREET - SUITE 300  
DENVER, CO 80202-2466  
Phone 800-227-8917  
<http://www.epa.gov/region08>

Ref: 8ENF-UFO

SEP 19 2005

**CERTIFIED MAIL 7003-2260-0002-0331-7370**  
**RETURN RECEIPT REQUESTED**

Jerry L. Calley, Registered Agent  
P&M Petroleum Management LLC  
517 17<sup>th</sup> Street, Suite 230  
Denver, Colorado 80202

Re: UNDERGROUND INJECTION  
CONTROL PROGRAM (UIC)  
Proposed Order and Penalty Complaint  
with Notice of Opportunity for Hearing

Dear Mr. Calley:

The enclosed document is a Proposed Order and Penalty Complaint with Notice of Opportunity for Hearing ("complaint") for violations of the Safe Drinking Water Act ("SDWA"). Please carefully read the complaint soon, since it describes P&M Petroleum Management LLC's ("P&M's") rights and responsibilities in this matter as well as EPA's authority, the factual basis of the violations, and the background for the proposed penalties. Also enclosed is a copy of the Rules of Practice that govern these proceedings, the required Public Notice associated with this complaint and, in case P&M meets the criteria, an information sheet about the Small Business Regulatory Enforcement Fairness Act.

**P&M is required to take action within 30 calendar days of your receipt of this complaint** to avoid the possibility of having a default judgment entered against P&M that could impose the penalty amount proposed in the complaint.

Whether or not P&M requests a hearing, we encourage an informal conference with EPA concerning the alleged violations in an effort to negotiate a settlement. P&M may wish to appear at an informal conference and/or be represented by legal counsel. To arrange for such a conference, P&M should contact Amy Swanson, Enforcement Attorney, Legal Enforcement Program, at the number provided below. Request for such a conference does not extend the 30 calendar day period during which a request for hearing must be submitted.

Public Notice of EPA's complaint and the opportunity to provide written comments on the complaint is being provided pursuant to section 1423 (c)(3)(B) of the SDWA, 42 U.S.C. § 300h-2(c)(3)(B). Should a hearing be held, any person who comments on the complaint has a right to participate in the hearing.



Printed on Recycled Paper

If P&M has technical questions relating to this matter, the person most knowledgeable on my staff is Nathan Wiser, UIC Enforcement Team, Technical Enforcement Program, at 1-800-227-8917 ext. 6211 or (303) 312-6211. For all legal questions, the person most knowledgeable on my staff is Amy Swanson at 1-800-227-8917 ext. 6906 or (303) 312-6906. Mr. Wiser and Ms. Swanson can also be reached at the following addresses:

Nathan Wiser (Mail Code 8ENF-UFO)  
U.S. EPA Region 8  
999 18<sup>th</sup> Street, Suite 300  
Denver, Colorado 80202-2466, or

Amy Swanson (Mail Code 8ENF-L)  
Enforcement Attorney  
U.S. EPA Region 8  
999 18<sup>th</sup> Street, Suite 300  
Denver, Colorado 80202-2466.

We urge P&M's prompt attention to this matter.

Sincerely,

*Michael T. Bissard*  
*for*

Carol Rushin  
Assistant Regional Administrator  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosures:

Proposed Order and Penalty Complaint  
with Notice of Opportunity for Hearing  
40 C.F.R. Part 22  
Public Notice  
U.S. EPA Small Business Resources Fact Sheet

cc: Elaine Willie, Environmental Coordinator (with all enclosures)  
Ute Indian Tribe  
P.O. Box 460  
Fort Duchesne, Utah 84026

1 UNITED STATES  
2 ENVIRONMENTAL PROTECTION AGENCY  
3 REGION 8

4 Docket No. SDWA-08-2005-0060

2005 SEP 19 AM 9:21  
FILED  
EPA REGION VIII  
HEARING CLERK

5  
6  
7 In the Matter of: )

8 )  
9 P&M Petroleum Management LLC )  
10 a Colorado corporation, )  
11 Respondent. )

**PROPOSED ORDER AND PENALTY  
COMPLAINT WITH NOTICE OF  
OPPORTUNITY FOR HEARING**

12 )  
13 Proceedings under Section 1423(c) )  
14 of the Safe Drinking Water Act )  
15 42 U.S.C. 300h-2(c) )

16 **INTRODUCTION**

- 17  
18 1. This civil administrative enforcement action is authorized by Congress in section 1423(c)  
19 of the Public Health Service Act, also known as the Safe Drinking Water Act (SDWA or  
20 the Act). 42 § U.S.C. 300h-2(c). The Environmental Protection Agency (EPA)  
21 regulations authorized by the statute are set out in part 144 of title 40 of the Code of  
22 Federal Regulations (40 C.F.R.), and violations of the statute, permits or EPA regulations  
23 constitute violations of the Act. The rules for this proceeding are the "Consolidated  
24 Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance  
25 of Compliance or Corrective Action Orders and the Revocation, Termination or  
26 Suspension of Permits ("Rules of Practice")," 40 C.F.R. part 22, a copy of which is  
27 enclosed.  
28  
29 2. The undersigned EPA official has been properly delegated the authority to issue this  
30 Proposed Order and Penalty Complaint with Notice of Opportunity for Hearing  
31 (complaint).  
32  
33 3. EPA alleges that P&M Petroleum Management LLC (Respondent) has violated the Act  
34 and proposes the assessment of a civil penalty and compliance measures, as more fully  
35 explained below.  
36

37 **NOTICE OF OPPORTUNITY FOR A HEARING**

- 38  
39 4. Respondent has the right to a public hearing before an administrative law judge to  
40 disagree with any factual allegation made by EPA in the complaint or the appropriateness  
41 of the proposed penalty, or to present the grounds for any legal defense it may have.  
42  
43 5. To disagree with the complaint and assert your right to a hearing, Respondent must file a  
44 written answer (and one copy) with the Region 8 Hearing Clerk at the following address:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

Region 8 Hearing Clerk  
999 18<sup>th</sup> Street; Suite 300 (8RC)  
Denver, Colorado 80202

within 30 calendar days of receiving this complaint. The answer must clearly admit, deny or explain the factual allegations of the complaint, the grounds for any defense, the facts you may dispute, and your specific request for a public hearing. Please see section 22.15 of the Rules of Practice for a complete description of what must be in the answer.

**FAILURE TO FILE AN ANSWER AND REQUEST FOR HEARING WITHIN 30 CALENDAR DAYS MAY WAIVE RESPONDENT'S RIGHT TO DISAGREE WITH THE ALLEGATIONS OR PROPOSED PENALTY, AND RESULT IN A DEFAULT JUDGMENT AND ASSESSMENT OF THE PENALTY PROPOSED IN THE COMPLAINT, OR UP TO THE MAXIMUM AUTHORIZED BY THE ACT.**

### **QUICK RESOLUTION**

6. Respondent may resolve this proceeding at any time by establishing adequate financial responsibility coverage for the wells referenced in paragraph 10 and paying the penalty amount proposed in the complaint. Such action to make payment need not contain any response to, or admission of, the allegations in the complaint. Such action to make payment constitutes a waiver of Respondent's right to contest the allegations and to appeal the final order. See section 22.18 of the Rules of Practice for a full explanation of the quick resolution process.

### **SETTLEMENT NEGOTIATIONS**

7. EPA encourages discussing whether cases can be settled through informal settlement conferences. If you want to pursue the possibility of settling this matter, or have any other questions, contact Amy Swanson, Enforcement Attorney, at [1-800-227-8917; extension 6906 or 303-312-6906] or at the address identified in paragraph 22 herein. **Please note that calling Ms. Swanson or requesting a settlement conference does NOT delay the running of the 30 day period for filing an answer and requesting a hearing.**

### **GENERAL ALLEGATIONS**

The following general allegations apply to all times relevant to this action, and to each count of this complaint:

8. Pursuant to section 1422 of the Act, 42 U.S.C. § 300h-1, and 40 C.F.R. part 147 subpart TT, section 147.2253, EPA administers the Underground Injection Control (UIC) program for Class II wells in Indian Country within the State of Utah. The effective date

1 of the program is November 25, 1988. The program requirements are located at 40  
2 C.F.R. parts 124, 144, 146, 147, and 148.

3  
4 9. Class II underground injection wells under the jurisdiction of the EPA are authorized to  
5 operate either under an EPA-issued permit or under a rule. To be eligible to operate  
6 under rule-authorization, a UIC well must be a Class II enhanced oil recovery well and  
7 must have been such a well at the time the EPA UIC program became effective. The  
8 rule-authorization requirements are found in Title 40 of the Code of Federal Regulations  
9 (40 CFR), Subpart C (Sections 144.21 through 144.28). All other Class II wells must be  
10 authorized by an EPA-issued permit. Enhanced oil recovery wells are wells that inject for  
11 the purpose of increasing oil and/or gas production at other nearby production wells.

12  
13 10. The three wells subject to this action are Class II enhanced oil recovery wells. All wells  
14 are authorized under permits issued by the EPA. These wells are owned and/or operated  
15 by Respondent and are located within the exterior boundary of the Uintah & Ouray Indian  
16 Reservation. The specific wells and their locations are:

17  
18 Federal #42-6X, EPA Permit #UT20653-03751, T8S, R25E, Sec. 6, SE/4, NE/4  
19 East Red Wash #4-6, EPA Permit #UT20653-04224, T8S, R25E, Sec. 6, SW/4, SE/4, and  
20 Amerada Guinand Fed. #1-8-25, EPA Permit #UT20653-04225, T8S, R25E, Sec. 7,  
21 SW/4, NW/4.

22  
23 All three of these wells were originally permitted by EPA to Equitable Resources Energy  
24 Company, Balcron Oil Division, with an effective date of February 18, 1994. The  
25 permits were transferred by EPA to Inland Resources Inc. on October 15, 1997, which is  
26 wholly owned by Newfield Exploration Company. On or about August 5, 2004,  
27 Respondent purchased these wells from Inland Resources Inc.

28  
29 11. The UIC permits at part III(B)(3) and the regulations at 40 CFR §144.38 require that a  
30 transfer of a permit is only effective after notice has been provided to the Director and the  
31 transferee (the entity to whom a permit is transferred) has met all financial responsibility  
32 requirements to properly plug and abandon the permitted well. On or about February 24,  
33 2005, EPA received an application to transfer the permits from the previous owner.  
34 There has been no submission from Respondent of any financial mechanism to cover the  
35 plugging and abandonment costs for these wells.

36  
37 12. Respondent has failed to establish adequate financial responsibility to plug and abandon  
38 these wells, in a violation of the UIC permit at part III(F)(3) and the regulations at 40  
39 CFR 144.38. See Attachment A to this complaint where this violation is summarized  
40 and labeled with the letter "A."

41  
42 13. The Respondent is a corporation organized in the State of Colorado and is authorized to  
43 do business in the State of Utah.  
44

- 1 14. Respondent is a "person" within the meaning of Section 1401(12) of the Act,  
2 42 U.S.C. § 300f(12).  
3  
4 15. The wells penetrate underground sources of drinking water (USDWs) including, but not  
5 limited to, groundwater in the Uinta Formation from surface to approximately 1730 feet  
6 below surface and in the Green River Formation as deep as approximately 4500 feet  
7 below surface.  
8  
9 16. A summary list of the violations alleged is included as Attachment A to this complaint.

10  
11 **COUNT 1**  
12

- 13 17. Respondent is in violation of the UIC permits at part III(B)(3) and the regulations at 40  
14 CFR §144.38 by failing to demonstrate financial responsibility for the proper plugging  
15 and abandonment of the wells referenced in paragraph 10. The duration of the  
16 Respondent's violation is shown in detail in Attachment A, with each such violation  
17 labeled with the letter "A."  
18  
19

20 **PROPOSED ORDER WITH ADMINISTRATIVE CIVIL PENALTY**  
21

- 22 18. The Act, as amended, authorizes the assessment of a civil penalty of up to \$32,500.00 per  
23 day, 42 U.S.C. § 300h-2(b). The Act requires EPA to take into account the following  
24 factors in assessing a civil penalty: the nature, circumstances, extent and gravity of the  
25 violations; any economic benefit or savings gained resulting from the violations;  
26 Respondent's history of such violations; Respondent's culpability for the violations;  
27 Respondent's good-faith efforts to comply with applicable requirements; the economic  
28 impact of the penalty on the Respondent; and other factors that justice may require. 42  
29 U.S.C. § 300h-2(c)(4)(B).  
30  
31 19. In light of the statutory factors and the specific facts of this case, **EPA proposes that the**  
32 **Respondent be ordered to establish financial responsibility for the wells referenced**  
33 **in paragraph 10 and pay a penalty of \$13,697.00 (thirteen thousand, six hundred**  
34 **ninety-seven dollars) for the violations alleged above, as explained below:**  
35

36 Nature, Circumstances, Extent, and Gravity of Violations  
37

38 Respondent has, since prior to becoming owner of the three wells at issue, told EPA that  
39 it intends to establish financial responsibility to properly plug and abandon these wells.  
40 EPA has repeatedly explained to Respondent its obligations and Respondent has agreed  
41 that it would meet them. If a Class II injection well has no financial responsibility  
42 established by an operator/owner of the well, and EPA should have to plug the well by  
43 default, EPA would have no access to funding to direct the properly plug and abandon the  
44 well. This, in turn, would lead to a continued open wellbore posing a potential threat to  
45 USDWs.

1           Prior Compliance History

2  
3           EPA Region 8 has not taken any prior formal enforcement actions against Respondent  
4           requiring compliance with the applicable UIC regulations.

5  
6           Good-Faith Efforts to Comply

7  
8           Respondent claims it has been trying, but not succeeding, in establishing financial  
9           responsibility for the these three injection wells. Respondent specifically identifies a lack  
10          of responsiveness from its would-be plugging companies to provide cost estimates of the  
11          predicted plugging costs as a reason for the delay. EPA has not confirmed such a lack of  
12          responsiveness.

13  
14          Degree of Culpability

15  
16          In communications from EPA to Respondent including approximately six phone calls  
17          over a period between June 28, 2004, and July 27, 2005, and in its letter dated August 22,  
18          2005, EPA has reminded Respondent of its obligation to demonstrate adequate financial  
19          responsibility to plug and abandon these wells.

20  
21          Economic Benefit

22  
23          An economic benefit was experienced by Respondent for its failure to establish financial  
24          responsibility. Respondent has verbally stated it intends to establish a Trust Fund in the  
25          amount necessary to cover all proper plugging costs for all three wells. The delayed cost  
26          of compliance is estimated to be \$7,384.00.

27  
28          Ability to Pay

29  
30          EPA did not reduce the proposed penalty due to this factor, but will consider any new  
31          information Respondent may present regarding Respondent's ability to pay the penalty  
32          proposed in this complaint.

33  
34          Other Matters that Justice may Require

35  
36          When Respondent purchased the East Red Wash #4-6 well from its predecessor (now  
37          Newfield Exploration Company), that well was in violation of a mechanical integrity  
38          requirement. EPA is separately and concurrently enforcing against Newfield Exploration  
39          Company for its failure to establish mechanical integrity at the East Red Wash #4-6 well.

- 40  
41          20. Respondent's payment of the penalty shall be made by money order or certified check  
42          made payable to "Treasurer, United States of America" and mailed to the following  
43          address:  
44  
45

1 EPA - Region 8  
2 Regional Hearing Clerk  
3 P.O. Box 360859  
4 Pittsburgh, Pennsylvania 15251.  
5

6 A copy of said check shall be mailed to the following address:  
7

8 Amy Swanson (8ENF-L)  
9 Enforcement Attorney  
10 U.S. EPA - Region 8  
11 999 18th Street, Suite 300  
12 Denver, Colorado 80202-2466.  
13

- 14 21. The provisions of this complaint shall apply to and be binding upon Respondent, its  
15 officers, directors, agents, servants, employees, and successors or assigns.  
16  
17 22. As required by the Act, prior to the assessment of a civil penalty, EPA will provide public  
18 notice of the proposed penalty, and reasonable opportunity for people to comment on the  
19 matter, and present evidence in the event a hearing is held. 42 U.S.C. § 300h-2(c)(3)(B).  
20  
21 23. The administrative law judge is not bound by EPA's penalty policy or the penalty  
22 proposed by EPA, and may assess a penalty above the proposed amount, up to  
23 \$32,500.00, per day for each violation, as authorized in the statute, as amended.  
24  
25 24. This complaint does not constitute a waiver, suspension, or modification of the  
26 requirements of any applicable provision of the Act or the UIC regulations implementing  
27 the Act, which remain in full force and effect. Issuance of this complaint is not an  
28 election by the EPA to forego any civil or any criminal action otherwise authorized under  
29 the Act.  
30

31  
32 Issued this 19<sup>th</sup> day of September, 2005.  
33

34  
35 Michael T. Bane for  
36 Carol Rushin  
37 Assistant Regional Administrator  
38 Office of Enforcement, Compliance,  
39 and Environmental Justice  
40 U.S. EPA, Region 8  
41 999 18th Street, Suite 300  
42 Denver, CO 80202-2466



## ATTACHMENT A

		P&M Petroleum Management LLC			
Well Name	EPA ID No.	Type of Violation	Date Violation Began	Date Violation Ended	Violation duration in days
East Red Wash #4-6	UT20653-04224	A. Fail to establish financial responsibility	8/5/2004	9/30/2005	421
Amerada Guinand Fed. #1	UT20653-04225	A. Fail to establish financial responsibility	8/5/2004	9/30/2005	421
Federal #42-6X	UT20653-03751	A. Fail to establish financial responsibility	8/5/2004	9/30/2005	421
				Note: the end date is estimated by EPA since this is an on-going violation when this Complaint is issued.	



## U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

### Hotlines, Helplines and Clearinghouses

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements.

**The National Environmental Compliance Assistance Clearinghouse** provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers: <http://www.epa.gov/clearinghouse>

**Pollution Prevention Clearinghouse**  
<http://www.epa.gov/opptintr/library/ppicindex.htm>

**EPA's Small Business Ombudsman Hotline** can provide a list of all the hot lines and assist in determining the hotline best meeting your needs:  
(800) 368-5888

**Emergency Planning and Community Right-To-Know Act**  
(800) 424-9346

**National Response Center** (to report oil and hazardous substance spills)  
(800) 424-8802

**Toxics Substances and Asbestos Information**  
(202) 554-1404

**Safe Drinking Water**  
(800) 426-4791

**Stratospheric Ozone and Refrigerants Information**  
(800) 296-1996

**Clean Air Technology Center**  
(919) 541-0800

**Wetlands Helpline**  
(800) 832-7828

### EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

**EPA's Home Page**  
<http://www.epa.gov>

**Small Business Assistance Program**  
<http://www.epa.gov/ttn/sbap>

**Office of Enforcement and Compliance Assurance**  
<http://www.epa.gov/compliance>

**Compliance Assistance Home Page**  
<http://www.epa.gov/compliance/assistance>

**Office of Regulatory Enforcement**  
<http://www.epa.gov/compliance/civil/index.html>

**Office of Site Remediation Enforcement**  
<http://www.epa.gov/compliance/cleanup>

**Innovative Programs for Environmental Performance**  
<http://www.epa.gov/partners>

**Small Business Ombudsman**  
[www.sba.gov/ombudsman](http://www.sba.gov/ombudsman)



1

Federal Register

---

Friday  
July 23, 1999

---

**Part V**

**Environmental  
Protection Agency**

---

**40 CFR Part 22**

**Consolidated Rules of Practice Governing  
the Administrative Assessment of Civil  
Penalties, Issuance of Compliance or  
Corrective Action Orders, and the  
Revocation, Termination or Suspension of  
Permits; Final Rule**

**U.S. ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC NOTICE  
OPPORTUNITY FOR PUBLIC COMMENT ON  
PROPOSED ORDER AND PENALTY COMPLAINT  
WITH NOTICE OF OPPORTUNITY FOR HEARING  
AGAINST  
P&M PETROLEUM MANAGEMENT LLC  
FOR FAILURE TO COMPLY WITH  
UNDERGROUND INJECTION CONTROL REGULATIONS**

**PURPOSE OF PUBLIC NOTICE**

The purpose of this notice is to solicit written comments on an Proposed Order and Penalty Complaint with Notice of Opportunity for Hearing (complaint) [Docket No. SDWA-08-2005-0060] that Region 8 of the United States Environmental Protection Agency (EPA) proposes to issue against P&M Petroleum Management LLC, whose office is located at 518 17<sup>th</sup> Street, Suite 230, Denver, Colorado 80202. The complaint alleges violations of the Underground Injection Control (UIC) regulations and proposes remedies and monetary penalties for the alleged violations. The complaint is issued under the UIC provisions of the Safe Drinking Water Act (SDWA) and the Act's implementing regulations. These regulations govern the injection of fluids that may endanger an underground source of drinking water (USDW).

The EPA desires to receive written comments from any interested party having knowledge of the alleged violations or who can provide any information useful to ensure that the proposed remedies and penalties are appropriate. EPA will review any comments received on the complaint, and will thereafter determine whether to modify or withdraw the complaint or whether to modify the proposed penalty and/or compliance requirements.

**BACKGROUND**

Part C of the SDWA requires the EPA to regulate underground injection of fluid through wells to assure that underground sources of drinking water (USDW) are not endangered. Section 1421 of the SDWA requires EPA to administer UIC programs in States or on Indian Lands that do not have approved State UIC programs. Regulation of the UIC Class II Program has not been delegated to the Ute Tribe; therefore, EPA administers the program in accordance with title 40 of the Code of Federal Regulations (40 C.F.R.), Parts 124, 144, 146, 147, and 148.

The three Class II injection wells which are the subject of this complaint, are owned and operated by P&M Petroleum Management LLC, and are located in the Coyote Canyon Oil Field, Uintah County, in Sections 6 and 7 of Township 8 South, Range 25 East. A Class II injection well, pursuant to 40 C.F.R. 144.6 and 146.5, is a well that injects fluids (a) brought to the surface in connection with natural gas storage operations, or conventional oil or natural gas production,

(b) for enhanced recovery of oil or natural gas, or (c) for the storage of hydrocarbons which are liquid at standard pressure and temperature. The wells subject to this complaint are enhanced oil recovery wells, injecting into the Green River Formation for the purpose of enhancing oil at nearby oil production wells. These wells are located within the exterior boundary of the Uintah & Ouray Indian Reservation.

The complaint alleges that P&M Petroleum Management LLC is in violation of UIC regulations and is subject to appropriate penalties for failing to establish financial responsibility to properly plug and abandon its three injection wells. The complaint proposes that EPA assess an administrative civil penalty in the amount thirteen thousand, six hundred ninety-seven dollars (\$13,697.00) and that P&M Petroleum Management LLC establish financial responsibility for properly plugging its injection wells.

### **PUBLIC COMMENTS**

Written comments on the complaint are encouraged and will be accepted at the address listed below for a period of thirty (30) days after the publication of this notice. Written comments submitted by the public as well as information submitted by P&M Petroleum Management LLC will be available for public review as part of the administrative record, subject to the provisions of law restricting the disclosure of confidential information. P&M Petroleum Management LLC may request a hearing. Any person submitting written comments will be notified of and has a right to participate in such a hearing. The complaint and the administrative record are available for review between 9:00 a.m. and 4:00 p.m. at the address listed below. It is recommended that those wishing to view the administrative record call Amy Swanson, Enforcement Attorney, Legal Enforcement Program, EPA Region 8, at (303) 312-6906 before visiting the EPA Region 8 offices.

Please submit written comments to:

Tina Artemis (8RC)  
Regional Hearing Clerk  
U.S. EPA, Region 8  
999 18th Street, Suite 500  
Denver, Colorado 80202-2466.

A copy of the complaint will also be available for public review Monday-Thursday between 8 a.m. and 4 p.m. at the Ute Indian Tribal Environmental Program office, located in Fort Duchesne, Utah. It is recommended that you contact Elaine Willie, Environmental Coordinator of the Ute Indian Tribe, prior to visiting. She can be reached at (435) 722-9910. About a week after EPA sends its complaint to P&M Petroleum Management LLC, the complaint can also be viewed on the following EPA webpage: [www.epa.gov/Region8/compliance/rhc.html](http://www.epa.gov/Region8/compliance/rhc.html).

Any person interested in receiving their own copy of this or any future public notice of a UIC administrative action can call Nathan Wiser in the UIC program, EPA Region 8, at (303) 312-6211.

### **THE DECISION**

EPA will review and consider all public comments received on the complaint and will thereafter determine whether to modify or withdraw the complaint or whether to modify the proposed penalty and/or compliance requirements. If the complaint is revised, copies shall be provided to all parties and to all members of the public who have commented.

\_\_\_\_\_

Date of Publication

Elisabeth Evans  
Elisabeth Evans, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance, and  
Environmental Justice  
U.S. EPA, Region 8  
999 18<sup>th</sup> Street, Suite 300  
Denver, CO 80202-3466